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5 *Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

8 BOULEVARD VENTURES, LLC, a
9 Nevada limited liability company,

Case No. 2:15-cv-01010-GMN-NJK

Plaintiff,

VS.

12 J.C. PENNEY COMPANY, INC., a
13 Delaware corporation; and J.C. PENNEY
CORPORATION, INC., a Delaware
corporation,

Defendants.

STIPULATION AND ORDER TO DISMISS

Plaintiff BOULEVARD VENTURES, LLC, a Nevada limited liability company, by and through its attorneys of record, SMITH & SHAPIRO, PLLC, and Defendants J.C. PENNEY COMPANY, INC., a Delaware corporation; and J.C. PENNEY CORPORATION, INC., a Delaware corporation, by and through their attorneys of record, LEWIS BRISBOIS BISGAARD & SMITH, hereby stipulate and agree that this matter should be dismissed, each party to bear its respective attorneys' fees and costs.

23 There are no pending motions and/or other matters which require the attention of this Court
24 and this matter has not yet been set for trial.

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1 Dated this 30th day of September, 2016.

2 SMITH & SHAPIRO, PLLC

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4 /s/ James E. Shapiro

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IT IS SO ORDERED.

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DATED this 1 day of October, 2016.

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Dated this 30th day of September, 2016.

LEWIS BRISBOIS BISGAARD & SMITH

/s/ Josh Cole Aicklen

Josh Cole Aicklen, Esq.
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David B. Avakian, Esq.
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*Attorneys for J.C. Penney Company, Inc. and
J.C. Penney Corporation, Inc.*

Dated this 30th day of September, 2016.

/s/ Diana Catherine Kays

Diana Catherine Kays, Esq.
Admitted Pro Hac Vice
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*Attorney for J.C. Penney Company, Inc. and
J.C. Penney Corporation, Inc.*

UNITED STATES DISTRICT JUDGE